

1645

DOCKET NO.: WARE-0138

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Group Art Unit: 1645

Edgar P. Spalding and Bost Noh

Examiner: Unknown

Serial No.: 09/817,762

Filed: March 26, 2001

For: MDR-LIKE ABC TRANSPORTER GENE
FROM PLANTS

RECEIVED

APR 11 2002

TECH CENTER 1600 2900

DATE OF DEPOSIT 4/2/02

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS
MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE
AND IS ADDRESSED TO THE BOX 100, COMMISSIONER FOR
PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

TYPED NAME: JANET E. REED
REGISTRATION NO. 36,252

Box DSD
Commissioner for Patents and Trademarks
Washington DC 20231

POWER OF ATTORNEY WITH REVOCATION

Revoking any and all powers of attorney heretofore given in the matter of the above-entitled application, the undersigned, assignee of the entire interest in the above-identified application, hereby appoints the attorneys listed below of the firm of WOODCOCK WASHBURN LLP, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania, 19103, as attorneys for applicant, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all

DOCKET NO.: WARF-0138

PATENT

Richard E. Kurtz	Registration No. 19,263	John E. McGlynn	Registration No. 42,863
Dale M. Heist	Registration No. 28,425	Jonathan M. Waldman	Registration No. 40,861
John W. Caldwell	Registration No. 28,937	Chad Ziegler	Registration No. 44,273
Gary H. Levin	Registration No. 28,734	Gwilym J.O. Attwell	Registration No. 45,449
Steven J. Rocci	Registration No. 30,489	David N. Farsiou	Registration No. 44,104
Dianne B. Elderkin	Registration No. 28,598	Paul K. Legaard	Registration No. 38,534
John P. Donohue, Jr.	Registration No. 29,916	Steven H. Meyer	Registration No. 37,189
Henrik D. Parker	Registration No. 31,863	Paul B. Milcetic	Registration No. 46,261
Suzanne E. Miller	Registration No. 32,279	Joseph R. Condo	Registration No. 42,431
Lynn B. Morreale	Registration No. 32,842	Michael K. Jones	Registration No. 41,100
Mark DeLuca	Registration No. 33,229	Frank T. Carroll	Registration No. 42,392
Joseph Luceri	Registration No. 33,307	Mark J. Rosen	Registration No. 39,822
Michael P. Dunnam	Registration No. 32,611	Thomas E. Watson	Registration No. 43,243
Michael D. Stein	Registration No. 34,734	Eric H. Vance	Registration No. 47,151
Albert J. Marcellino	Registration No. 34,664	Peter M. Ullman	Registration No. 43,963
David R. Bailey	Registration No. 35,057	Richard B. LeBlanc	Registration No. 39,495
Doreen Yatko Trujillo	Registration No. 35,719	Joseph D. Rossi	Registration No. 47,038
Barbara L. Mullin	Registration No. 38,250	Rosaleen P. Morris-Oskanian	Registration No. 47,321
Michael P. Straher	Registration No. 38,325	George J. Awad	Registration No. 46,528
Kevin M. Flannery	Registration No. 35,871	Steven D. Maslowski	Registration No. 46,905
David A. Cherry	Registration No. 35,099	S. Maurice Valla	Registration No. 43,966
Lynn A. Malinoski	Registration No. 38,788	Emma R. Dailey	Registration No. P48,491
Steven B. Samuels	Registration No. 37,711	Vincent J. Roccia	Registration No. 43,887
Janet E. Reed	Registration No. 36,252	Robin S. Quartin	Registration No. 45,028
Jeffrey J. King	Registration No. 38,515	Patrick J. Farley	Registration No. 42,524
Robert B. Washburn	Registration No. 16,574	Gregory L. Hillyer	Registration No. 44,154
Norman L. Norris	Registration No. 24,196	Raymond N. Scott, Jr.	Registration No. 48,666
Albert W. Preston, Jr.	Registration No. 25,366	David L. Marcus	Registration No. 46,897
Anthony J. Fossi	Registration No. 24,053	Lawrence A. Aaronson	Registration No. 38,369
Terence P. Strobaugh	Registration No. 25,460	John A. Harrelson	Registration No. 42,637
Stephen C. Timmins	Registration No. 48,481	Sharon Fenick	Registration No. 45,269
Erich M. Falke	Registration No. 49,049	Daniel D. Biesterveld	Registration No. 45,898
Jane E. Inglese	Registration No. 48,444	Christine A. Goddard	Registration No. 46,731
Susan C. Murphy	Registration No. 46,221	Ellen M. Klann	Registration No. 44,836
Michael J. Swope	Registration No. 38,041	Andrew J. Hagerty	Registration No. 44,141

STATEMENT UNDER 37 C.F.R. §3.73(b)

Wisconsin Alumni Research Foundation, a non-stock, non-profit Wisconsin corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an Assignment from the inventors of the patent application identified above. The assignment of Edgar P. Spalding and Bosl Noh was mailed to the United States Patent and Trademark Office on November 2, 2001, but has not yet been recorded. (copy attached).

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: Bryan Z. Renk

Name: BRYAN Z. RENK

Title: DIRECTOR OF PATENTS AND LICENSING

Date: 11/5/01



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

NOVEMBER 26, 2001

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION
KATHY HANNEMAN
614 WALNUT STREET
MADISON, WI 53705

700008691A

700008691A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/14/2001

REEL/FRAME: 012176/0230
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SPALDING, EDGAR P.

DOC DATE: 06/20/2001

ASSIGNOR:

NOH, BOSL

DOC DATE: 06/20/2001

ASSIGNEE:

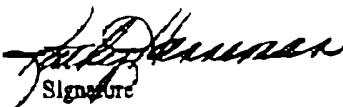
WISCONSIN ALUMNI RESEARCH
FOUNDATION
614 WALNUT STREET
MADISON, WISCONSIN 53705

SERIAL NUMBER: 09817762
PATENT NUMBER:

FILING DATE: 03/26/2001
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION

11/14/2001
700008691

Form PTO-1596 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		Recordation Form Cover Sheet PATENTS ONLY		U.S. Department of Commerce U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): Spalding, Edgar P. Nob, Bosl Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies) Name: Wisconsin Alumni Research Foundation Internal Address: Street Address: 614 Walnut Street City: Madison State: WI Zip: 53705 Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		Execution Date: 6/20/01			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No.(s) B. Patent No.(s) 09/817762 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Kathy Hanneman Internal Address Wisconsin Alumni Research Foundation Street Address: 614 Walnut Street City: Madison State: WI Zip: 53705		6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41).....\$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>23-2545</u> (Attach duplicate copy of this page if paying by deposit account)			
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Kathy Hanneman Name of Person Signing  Signature 11/14/01 Date					
Total number of pages including cover sheet, attachments, and documents: 5					

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, DC 20231

ASSIGNMENT
(Joint Inventors)

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: MDR-LIKE ABC TRANSPORTER GENE FROM PLANTS

Serial Number: 09/816762

Date Filed: 3-26-2001

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98103US

App.#: 09/816762, Filed: 3-26-2001

Inventor: Edgar P. Spalding

Date: 6/20/01

Edgar P. Spalding
7417 South Avenue
Middleton, WI 53562

State of Wisconsin)
)ss.
County of Dane)

On this 20th day of June, 2001 before me personally appeared Edgar P. Spalding, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Arden T. Engblom
Notary Public

My Commission expires: 7/13/03

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98103US

App.#: 09/816762, Filed: 3-26-2001

Inventor: Bosl Noh

Date: June 20, 01

Bosl Noh
308E Eagle Heights
Madison, WI 53705

State of Wisconsin)
)ss.
County of Dane)

On this 20 day of June, 2001 before me personally appeared Bosl Noh, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

London E. Engleby
Notary Public

My Commission expires: 7/13/03